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PTO/SB/21 (08-03)
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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

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Application Number	10/621,633
Filing Date	July 17, 2003
First Named Inventor	Marc Long
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	HO-P02125US1

ENCLOSURES (Check all that apply)							
Fee Transi	nittal Form	Drawing(s)	After Allowance Communication to Group				
Fee	Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences				
Amendmer	nt/Reply	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
After	Final	Petition to Convert to a Provisional Application	Proprietary Information				
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Extension	of Time Request	Terminal Disclaimer	X Other Enclosure(s) (please identify below):				
Express At	pandonment Request	Request for Refund	Non-US application or U.S. patent IDS References cited (45)				
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	SIGNAT	JRE OF APPLICANT, ATTORNEY, OF	RAGENT				
Firm or Individual name	FULBRIGHT & JAW Melissa L. Sistrunk	ORSKI L.L.P.					
Signature	Meline /14	,					
Date	February 17, 2004						

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lΓ		Transmittal
	I hereby certify that this corresponde in an envelope addressed to: Comm	nce is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER 147057867US, hissioner for Patents, P.G. Box 1450, Alexandria, V.A. 22313-1450, on the date shown below.
Ш	Dated: February 17, 2004	Signature: Monica L. Thomas)

Lipuby certify that this correspondence is being deposited with the U.S. Postal vice as Express Mail, Airbill No. ER 147057867US, in an envelope addressed of Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Docket No.: HO-P02125US1

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Marc Long et al.

Dated: February 17, 2004

Application No.: 10/621,633

Filed: July 17, 2003 Art Unit: N/A

For: BONE GRAFT SUBSTITUTES Examiner: Not Yet Assigned

#### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date but before the mailing date of the first Office Action on the merits, so far as is known to the undersigned.

I hereby certify that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Application No.: 10/621,633 Docket No.: HO-P02125US1

A copy of each reference that is not a U.S. application or U.S. patent on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02125US1. A duplicate copy of this paper is enclosed.

Dated: February 17, 2004

Respectfully submitted,

Melissa L. Sistrunk

Registration No.: 45,579

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25378728.1

PTO/SB/08A (10-01)
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U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE buder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Subs	titute for form 1449A/PTO	)		Complete if Known			
				Application Number	10/621,633		
IN	<b>FORMATION</b>	N DI	SCLOSURE	Filing Date	July 17, 2003		
S	TATEMENT I	BY A	APPLICANT	First Named Inventor	Marc Long		
				Art Unit	N/A		
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Sheet	1	of	7	Attorney Docket Number	HO-P02125US1		

	U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant					
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant					
Initials* No.1		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵				
	BA	WO 96/39203 🗸	12-12-1996	Steven R. Jeffries						
	BB	WO 96/40432 '	12-19-1996	Michael Q. Sheppard						
	BC	WO 00/30568 /	06-02-2000	Joseph Yaccarino						
	BD	WO SHO58-46775	09-28-1984	Kondo Kazuo, et al.						

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>				
	CA	Bone Grafts & Bone Substitutes, Orthopedic Network, Oct. 2000, pp. 8-10, vol. 11, no. 4, Mendenhall Associates, Inc.					
	СВ	Bone Grafts & Orthobiologicals, Orthopedic Industry, 09/15/00, pp. 66-81, Merrill Lynch					
	СС	iii. Bone Substitute Materials, Executive Summary #RP-591149, 2000, pp. ES-15-ES25 & 3-1-3-45; Medical Data Int'l, Inc.					

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket No. (Optional) P01952US0	Application Number 09/517,981				
Applicant:  Julie A. Bearcroft et al.					
· Filing Date:	Group Art Unit				

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March 3, 2000

4	Old Title 19 and 19											
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<b> </b>	4	6	-	9	6	5	5	10/28/86	Hanker et al.	623	1	
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wo	9	4	0	8	9	12	4/28/94	PCT .				

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Docket No. (Optional) P01952US0	Application Number 09/517,981	
Applicant: Julie A. Bearcroft et al.		
Filing Date:	Group Art Unit	

#### U.S. PATENT DOCUMENTS

March 3, 2000

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INITIAL	5	4	3	3	7	5	1	07/18/95	Christel et al.	623	16	
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<u> </u>	5	4	5	5	1	0	0	10/03/95	White	428	131	
·	5	4	5	8	9	7	0	10/17/95	Fujishiro et al.	428	370	
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PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

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Application Number 09/517,981

Applicant:

Julie A. Bearcrost et al.

Filing Date: March 3, 2000

Docket No. (Optional) P01952US0

Group Art Unit

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·	5	0	6	7	9	6	5	11/26/91	Ersek et al.	623	66	
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# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket No. (Optional) P01952US0 Application Number 09/517,981

Applicant:

Julie A. Bearcroft et al.

Filing Date:

March 3, 2000

Group Art Unit

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	5	1	4	7	4	0	3	09/15/92	Gitelis	623	16	
	5	1	4	9	3	6	8	09/22/92	Liu et al.	424	602	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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DATE CONSIDERED

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#### INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket No. (Optional) P01952US0	Application Number 09/517,981
Applicant: Julie A. Bearcroft et al.	• .
Filing Date:	Group Art Unit

#### U.S. PATENT DOCUMENTS

March 3, 2000

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EXAMINER			2010	TNIT N	lumbe	:D		DATE	Name	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
INITIAL	5	5	7 7	I	1	8	2	11/05/96	Ersek et al.	623	11	
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	5	1	5	3	0	5	7	10/06/92	Corbett et al.	428	283	
	5	1	3	2	1	7	8	07/21/92	Chyung et al.	428	372	
	4	9	7	3	5	0	3	11/27/90	Hotchkiss	428	36.4	
	4	6	0	0	5	4	6	07/15/86	Grundei	264	59	
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**EXAMINER** 

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)									Applicant: Julie A. Bearcroft et al. Filing Date: March 3, 2000		Group Art Unit		
EXAMINER INITIAL	DOCUMENT NUMBER DATE							DATE:	NAME	CLASS	SUBCLASS	FILIN IF APP	
	4	8	6	3	4	7	2	09/05/89	Törmälä et al.	623	16		
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